

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DEVIN SMITH,	:	
Plaintiff	:	CIVIL ACTION NO. 3:21-0610
v.	:	(JUDGE MANNION)
DR. KOLLMAN, <u>et al.</u>,	:	
Defendants	:	

ORDER

Plaintiff, Devin Smith, an inmate confined in the Benner State Correctional Institution, Bellefonte, Pennsylvania, filed the above captioned civil rights action pursuant to [42 U.S.C. §1983](#). (Doc. [1](#), complaint). Currently pending before the Court is Plaintiff's motion for appointment of counsel. (Doc. [23](#)). For the following reasons, the Court will deny the motion.

Previously by Order dated November 15, 2021, Court denied a similar motion for appointment counsel. (See Doc. [16](#)). That Order also provided that if future proceedings demonstrated the need for counsel, Plaintiff's motion would be reconsidered. Since the entry of that order, Smith has continued to demonstrate a reasonable ability to litigate this action *pro se*. Furthermore, his latest motion fails to set forth sufficient

special circumstances or factors which would warrant the appointment of counsel. See [Tabron v. Grace](#), 6 F.3d 147, 153, 155-157 (3d Cir. 1993).

IT IS HEREBY ORDERED THAT Plaintiff's motion for appointment of counsel, (Doc. [23](#)) is **DENIED**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: December 23, 2021

21-0610-03